

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

PEABODY ENERGY CORPORATION

and

ARCH RESOURCES, INC.,

Defendants.

Civil Action No. 4:20-cv-00317-SEP

STIPULATION OF DISMISSAL

Plaintiff Federal Trade Commission respectfully requests voluntary dismissal without prejudice of the claims asserted in this action against Defendants pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. The Court has granted the relief sought in the complaint and Defendants have abandoned the proposed transaction. Defendants stipulate to dismissal without prejudice of these claims.

Dated: January 28, 2021

/s/ Daniel Matheson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of January, 2021, I served the foregoing on all counsel of record via the Court's CM/ECF system:

/s/ Daniel Matheson

Daniel Matheson

Attorney for Plaintiff Federal Trade Commission